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09/592,741	06/13/2000	Theresa M. Gosko	DC-02493	7322
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HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720			ADE, OGER GARCIA	
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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/592,741  
Filing Date: June 13, 2000  
Appellant(s): GOSKO, THERESA M.

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Stephen A. Terrile  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed on January 16<sup>th</sup>, 2008 appealing from the Office action mailed on October 11<sup>th</sup>, 2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

US 6,055,516	Johnson et al.	4-2000
US 6,052,785	Lin et al.	4-2000

### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 2, 4-9, and 30-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. 6,055,516) ("Johnson '516"), and further in view of Lin et al. [US 6,052,785].

**As per claims 1, 2, 4 - 9, and 30-39**, Johnson discloses a catalog header record portion storing catalog header record data, the catalog header portion being stored on the computer readable media [see figure 1A (e.g. block 44D); a system identification portion storing system identification data [see abstract (such as product identification and descriptive information)], the system identification portion being stored on the computer readable media [see 4<sup>th</sup> paragraph of the summary section of the invention (e.g. the system includes a computer that maintains a catalog database of data including product information (**such as product identification information**)], the system identification data including a system type element, the system type element indicating whether a system is one of a bundled system and a custom system [see column 9, lines 34 – 55 (e.g. **Search Input screen** shown in Appendix VII .... typically collected in a memory location for rapid viewing, printing or other use)], the system type element allowing the customer to determine whether the system is a bundled system or a custom system during the automated order entry process [via customize **search program 50**]; and a system option record portion storing system option record data, the system option record portion being stored on the computer readable media [see column 12, lines 15 – 28 (e.g. Using the Search screen, a user can search catalog database 36

by page, text description, part number (where the user has the further option to search by Fisher part number)].

Johnson does not explicitly disclose a computer readable medium in combination with a computer program. However, Lin discloses a computer readable medium in combination with a computer program [see summary of the invention and claim 19 (e.g. computer program product having a computer readable medium having computer program logic recorded)].

Therefore it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Johnson to include a computer readable medium in combination with a computer program. Such a modification would have disclosed the normal and usual operation of Johnson computer program, and would also provide a system, method and computer program product enabling client authentication with a server and single authentication of the client to a remote data repository, including distributed file system, database manager or transaction management system [see summary of the invention].

#### **(10) Response to Argument**

Appellant argues that Johnson does not disclose "*providing a catalog from a manufacturer to a customer to enable a customer to perform an automated order entry process, much less such a computer program which comprises a system identification portion storing system identification data, the system identification data including a system type element, the system type element indicating whether a system is one of a bundled system and a custom system, the system type element allowing the customer*

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*to determine whether the system is a bundled system or a custom system during an automated order entry process".* The Examiner respectfully disagrees. Johnson discloses an electronic sourcing system from a manufacturer to a customer, which includes a computer program, which maintains a catalog database of data including product information (such as product identification and descriptive information) relating to catalog items available from vendor product catalogs, and a means for building (generating) a requisition including at least one requisitioned item. Johnson further discloses a Local computer 20 that is also preferably runs Shell program 52, which operates under search program 50 and is used to **customize** search program 50 to generate Order Lists 48 (shown in figure 1C) with particular fields of formatted data about the items selected using search program 50. In Johnson the information at least partially identifying an item desired to be requisitioned is entered by a user, and utilized by a means for searching the database for catalog items matching that information and for selecting at least one catalog item located as a result of the search.

Appellant also argues that Johnson and Lin, taken alone or in combination, do not teach or suggest "*a computer program in combination with a computer readable media where the computer program encoded to enable a customer to perform an automated order entry process, much less such a computer program which includes system identification portion which stores system*". The Examiner respectfully disagrees. Johnson discloses an electronic sourcing system 5 or computer program (see figure 1A) that can be automatically started to enable a customer to perform an automated order entry process.

Appellant further argues that Johnson and Lin, taken alone or in combination, do not teach “*a computer program where the computer program is encoded to enable a customer to perform an automated order entry process, much less such a computer program which includes a catalog header record portion which stores catalog header record data, where the catalog header data applies to an entire the catalog, a system identification portion which stores system identification data that applies once for each system type and includes a system type indicator which indicates whether a system is one of a bundled system and a custom system and allows the customer to determine whether the system is a bundled system or a custom system during the automated order entry process, and a system option record portion being stored on a the computer readable media which stores system option record data and includes a plurality of system option record entries where each of the plurality of system option record entries applies to a respective system option*”. The Examiner respectfully disagrees. Johnson discloses a computer program, which maintains a catalog database of data including product information (such as product identification and descriptive information) relating to catalog items available from vendor product catalogs, and a means for building (generating) a requisition including at least one requisitioned item, and perform automated order entry process. Furthermore, Johnson’s Local computer 20 runs Shell program 52, which operates under search program 50 and is used to **customize** search program 50 to generate Order Lists 48 (shown in figure 1C) with particular fields of formatted data about the items selected using search program 50. Johnson further discloses a bundled system and a custom system via search program

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50 that is capable of searching through large volumes of information quickly and accurately. Johnson's electronic sourcing system also provides a user with the capability of searching a database containing data (including product/vendor identification, and other product information) relating to items available from at least two vendor product catalogs, and the capability of transferring the product information for desired catalog items obtained as a result of the search to a requisition/purchasing system for use in generating a requisition including entries for the desired catalog items [see summary of the invention].

The elements are all known but not combined as claimed. The technical ability exists to combine the elements as claimed and the results of the combination are predictable. When combined, the elements perform the same function as they did separately. The prior art differs from the claim by the substitution of some components. The substituted components were known. The technical ability existed to substitute the components as claimed and the result of the substitution is predictable.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Garcia Ade

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